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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: **Kunihiko NAGASE et al.**

Group Art Unit: **2891**

Application Number: **10/816,959**

Examiner: **David A. Zarneke**

Filed: **April 5, 2004**

Confirmation Number: **2428**

For: **METHOD FOR FABRICATING SEMICONDUCTOR DEVICE**

Attorney Docket Number: **042324**

Customer Number: **38834**

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

July 24, 2006

Sir:

This paper is submitted in response to the Official Action dated June 23, 2006.

In the Action, restriction is required between Group I (Claims 1-8 and 17-21) and Group II (Claims 9-16).

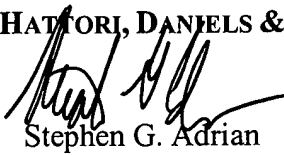
Applicants hereby elect the subject matter of Group I (Claims 1-8 and 17-21) for prosecution in this application. This election is made without traverse, and it is understood that Applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

Response to Restriction Requirement  
Application No. 10/816,959  
Attorney Docket No. 042324

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read "Stephen G. Adrian", is written over the printed name.

Stephen G. Adrian

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SGA/arf